



Missouri Department of Natural Resources

Clean Water Commission Water Protection Program

Meeting Minutes

May 4, 2005

MISSOURI CLEAN WATER COMMISSION MEETING

May 4, 2005

Governor's Office Building

200 Madison St., Room 450

Jefferson City, MO

MINUTES

Present

Thomas A. Herrmann, Chairman, Missouri Clean Water Commission
Davis D. Minton, Vice-Chairman, Missouri Clean Water Commission
William A. Easley, Commissioner, Missouri Clean Water Commission
Paul E. Hauser, Commissioner, Missouri Clean Water Commission
Kristin M. Perry, Commissioner, Missouri Clean Water Commission
Cosette D. Kelly, Commissioner, Missouri Clean Water Commission
Ron Hardecke, Commissioner, Missouri Clean Water Commission

Edward Galbraith, Director of Staff, Missouri Clean Water Commission

Bill Bryan, Counsel, Missouri Clean Water Commission

Marlene Kirchner, Secretary, Missouri Clean Water Commission

Mike Alesandrini, St. Louis RCGA, St. Louis, Missouri

Darrell Barber, Missouri Department of Natural Resources, Jefferson City, Missouri

Karen Bataille, Missouri Department of Conservation, Columbia, Missouri

Pam Bax, Missouri Department of Natural Resources, Jefferson City, Missouri

Stacia Bax, Missouri Department of Natural Resources, Jefferson City, Missouri

Dorris Bender, City of Independence, Water Pollution Control, Independence, Missouri

Michael Bollinger, Ameren, St. Louis, Missouri

Robert Brundage, Newman, Comley & Ruth, Jefferson City, Missouri

Mark Buersmeyer, Missouri Department of Natural Resources, Jefferson City, Missouri

John Carter, The Doe Run Company, Viburnum, Missouri

Gary Cunningham, Alliance Water Resources, Columbia, Missouri

Aimee Davenport, Missouri Department of Natural Resources, Jefferson City, Missouri

Chad Davis, Trenton Municipal Utilities, Trenton, Missouri

Allen Decker, Missouri Rural Water Assoc., Gray Summit, Missouri

Cindy DiStefano, Missouri Department of Conservation, Columbia, Missouri

Mohsen Dkhili, Missouri Department of Natural Resources, Jefferson City, Missouri

Lanie Dudley, USDA Rural Development, Columbia, Missouri

Daniel Duncan, Moto, Inc., Belleville, Illinois

Kathryn Dusenbery, Parkville, Parkville, Missouri

Doug Garrett, Missouri Department of Natural Resources, Jefferson City, Missouri

Peter Goode, Missouri Department of Natural Resources, Jefferson City, Missouri

Jeffrey Gratzner, Jacobs, St. Louis, Missouri

Bart Hager, St. Louis Metropolitan Sewer District, St. Louis, Missouri

Mubarak Hamed, Missouri Department of Natural Resources, Jefferson City, Missouri

Ted Heisel, Missouri Coalition for the Environment, St. Louis, Missouri

Bob Hentges, Missouri Public Utility Alliance, Jefferson City, Missouri
Duane Kelly, Independence, Missouri
Tommy Kitch, City of Carterville, Carterville, Missouri
Scott Knight, Crawford, Murphy, & Tilly, Inc., St. Louis, Missouri
Mary Lappin, Kansas City Missouri Water Services, Kansas City, Missouri
Richard Laux, Missouri Department of Natural Resources, Jefferson City, Missouri
Bonnie Liscek, EPA Region 7, Kansas City, Kansas
John Lodderhose, St. Louis Metropolitan Sewer District, St. Louis, Missouri
James Mellem, City of Kansas City, Water Services Department, Kansas City, Missouri
Kevin Mohammadi, Missouri Department of Natural Resources, Jefferson City, Missouri
Susan Myers, St. Louis Metropolitan Sewer District, St. Louis, Missouri
Jay Norco, Shafer, Kline & Warren, Inc., Kansas City, Missouri
Kevin Perry, REGFORM, Jefferson City, Missouri
John Pozzo, Ameren, St. Louis, Missouri
Peter Price, Missouri Department of Natural Resources, Rolla, Missouri
John Reece, Little Blue Valley Sewer District, Independence, Missouri
Nicole Ross, Missouri Department of Natural Resources, Jefferson City, Missouri
Jeff Rupp, City of Parkville, Parkville, Missouri
Ted Salveter, City Utilities of Springfield, Springfield, Missouri
Wade Sanders, City of Odessa, Odessa, Missouri
Phil Schroeder, Missouri Department of Natural Resources, Jefferson City,
Becky Shannon, Missouri Department of Natural Resources, Jefferson City, Missouri
David Shorr, Lathrop & Gage, LLC, Jefferson City, Missouri
Cynthia Smith, Missouri Department of Natural Resources, Jefferson City, Missouri
Dennis Stith, Shafer, Kline & Warren, Macon, Missouri
Trent Stober, MEC Water Resources, Inc., Columbia, Missouri
Don Summers, Missouri Department of Natural Resources, Jefferson City, Missouri
Georgene Tankersley, Public Drinking Water Supply Dist. 1, Fortuna, Missouri
Layli Terrill, Missouri Department of Natural Resources, Jefferson City, Missouri
Scott Totten, Missouri Department of Natural Resources, Jefferson City, Missouri
Richard Tuttle, Alliance Water Resources, Columbia, Missouri
Daryll Walker, City of Auxvasse, Auxvasse, Missouri
Mary West, City of Moberly, Moberly, Missouri
Betty Wyse, Environmental Resources Coalition, Jefferson City, Missouri

Administrative Matters

Call to Order/Introductions – Chairman Herrmann called the meeting to order at 9:15 a.m. He introduced Commissioners Easley, Kelly, Hauser, Minton, and Perry. Chairman Herrmann introduced the newest member to the Clean Water Commission, Mr. Ron Hardecke, Owensville, Missouri.

Approval of March 2, 2005 Clean Water Commission Meeting Minutes – Chairman Herrmann asked if there were any additions or corrections to the minutes. Hearing none,

Chairman Herrmann entertained a motion to accept the minutes and enter them into record.

Commissioner Easley made a motion to accept the March 2, 2005 minutes. Commissioner Hauser seconded the motion. Commissioners Easley, Hauser, Kelly and Chairman Herrmann voted yes. Commissioners Minton and Perry abstained.

City of Odessa – Direct Loan Request – Mr. Mark Buersmeyer, Financial Assistance Center, Department of Natural Resources reported the City of Odessa has submitted a new application for funding. Odessa borrowed \$6,000,000 through the State Revolving Fund in May 2004 and needs additional funds.

Mr. Buersmeyer requested the Commission's approval to allow the department to enter into a direct loan with the City of Odessa.

Chairman Herrmann entertained a motion to increase the funding in the Intended Use Plan (IUP) to the City of Odessa for \$1,000,000.

Commissioner Perry made a motion to approve the Odessa application and place it on the fundable list for an additional \$1,000,000. Commissioner Kelly seconded the motion. All Commissioners and Chairman Herrmann voted yes.

State Fiscal Year 2006 State Revolving Fund IUP – Mr. Doug Garrett, Financial Assistance Center, Department of Natural Resources, reported the department solicited and received comments on the final version of the IUP. These comments have been incorporated in the final version. Additional changes were made to reflect goals reached at the Kaizen waste elimination workshop.

The program recommends the Commission approve the State Fiscal Year 2006 Clean Water State Revolving Fund IUP as revised.

Chairman Herrmann entertained a motion relative to the IUP revolving loan fund.

Commissioner Hauser made a motion to approve the 2006 State Revolving Fund IUP as revised. Commissioner Kelly seconded the motion. All Commissioners and Chairman Herrmann voted yes.

Water Quality Standards Rules – Mr. Ed Galbraith, Director, Water Protection Program, reported at the March 2, 2005, Clean Water Commission meeting the Commission approved the program to proceed with publishing a rulemaking for changes to Missouri's Water Quality Standards and Effluent Regulations. The rules have been published in the Missouri Register. The public comment period is scheduled to end July 14 and a vote is to be taken by the Commission on August 3 on the final order of rulemaking.

Two implementation issues have been brought to staff's attention. Implementation 1: What to do when a permittee is scheduled to get their operating permit between now and the effective date of the rules. If they get their permit now, they will get a more stringent limit than they might get under the new rules.

Mr. Galbraith sees two options. Take those permits on a case by case basis and bring them before the Commission as a variance and have the Commission decide whether the revised standards as proposed are applicable. The second option is for the permit to reflect the new standards. There could be a standard opening clause stating the permit would be modified to comply with the rule.

Of the two options, staff recommended that variances be brought to the Commission on a case by case basis.

Chairman Herrmann entertained a motion to bring the permits in the form of a variance to the Commission on a case by case basis for approval or denial.

Commissioner Kelly made a motion to accept staff recommendation. Commissioner Hauser seconded the motion. All Commissioners and Chairman Herrmann voted yes.

Implementation 2: Facilities will have to comply with disinfection rules based on whole body contact designation once the new rules are effective. There is a permit backlog that the program is working on. For the permittee who has submitted timely applications, and the program has been unable to turn around their permits in a timely manner, it is a burden on the permittee to have to face the disinfection issue earlier than they would otherwise.

Mr. Galbraith recommends that for any permit due to expire before April 30, 2006, if the permittee timely files a request for a renewal that is adequate and complete, the program needs to act on that. If the program fails to act, the permittee should not be jeopardized. Something would have to be put in the rule language to this effect.

Mr. Galbraith recommends addressing Implementation Issue 2 at the July Commission meeting. This will give the Commission an opportunity to hear some other points of view.

Mr. Bob Hentges, Missouri Public Utility Alliance, reported he supports Mr. Galbraith's concept; however, he doesn't support the permits being placed in the form of a variance.

Chairman Herrmann stated there will be a public hearing at the July Commission meeting on Water Quality Standards Rulemaking.

Variances

Parkville Variance – Mr. Richard Laux, Permits and Engineering, Department of Natural Resources, reported the City of Parkville applied for a variance regarding ammonia limitations. The permit was originally drafted with ammonia limitations that reflect general warm water fishery. The city and its consultants questioned that designation and indicated that previously staff had indicated it was a limited warm water fishery. The department issued a public notice using limited warm water fishery limits and received comments back. The city has explained that if the department were to change back to the general warm water fishery limits, the facility that is under construction now may not be able to meet them consistently. The city has requested their variance from the existing general warm water fishery ammonia limits, suggesting that the department use the EPA 1999 criteria as the basis. They also recommended that the department go back to the limited warm water fishery numbers.

Staff recommended that the variance be granted with the idea that the 1999 criteria could be used as final limitations if the Commission were to order that. Staff recommended to grant the facility some relief because they approved the facility plan and issued the construction permit. It was not until the permit was public noticed that the ammonia limitation issue arose.

Ms. Cindy DiStefano, Missouri Department of Conservation, reported that Rush Creek is a fourth order stream and the headwaters of Rush Creek are a 300-acre impoundment, which is a popular sport fishery. There is also another smaller impoundment upstream. Although Rush Creek is seasonally intermittent, it has pools and riffle complexes that support aquatic life including bass, sunfish and catfish populations. Most of these fish are likely from the impoundment in the watershed and from the Missouri River. Because Rush Creek is a direct tributary to the Missouri River, it also likely serves as a nursery area for the river fish. The Department of Conservation's goal is to protect and manage Missouri's aquatic life so that it can thrive, not just survive.

Ammonia toxicity usually effects the smaller fish first. Ammonia levels as low as one part per billion can irritate gills, and cause temporary damage. Ammonia burns gills and mucus membranes of the skin, mouth and intestines of the fish. Nervous signs also become prominent. Different forms of ammonia can effect fish by causing lesions in the liver, difficulty breathing, irregular breathing, and extended gills. It also impairs growth and development, causes impaired resistance to disease, adverse physiological effects, tissue disorders, and reduced reproductive success. These sublethal effects of ammonia to aquatic life are not noticed from the stream bank. Usually what you see is when they die.

Determining safe levels of ammonia are difficult due to different tolerance levels among the species and size and complexity of evaluating low level exposures. As the level of ammonia in water increases, shifts in composition and structure of aquatic biota to more

polluted tolerate communities exist. Excessive ammonia concentrations can cause acute mortality.

The Department of Conservation would like Rush Creek protected and the aquatic life living in the creek by issuing a permit with ammonia nitrogen with the current general warm water fishery limits.

Commissioner Hauser made a motion to direct staff to issue the permit as public noticed in October 2004 with the original limited warm water fishery ammonia limits. Commissioner Easley seconded the motion. Commissioners Minton, Easley, Hauser and Chairman Herrmann voted yes. Commissioner Perry abstained. Commissioner Kelly voted no.

City of Sullivan Variance – Mr. Richard Laux reported that the City of Sullivan requested a variance from the requirement in their permit to eliminate their lagoon within three years of a finding that groundwater would be threatened by the discharge. They are in the process of replacing the lagoon system and they will need additional time that the permit does not contemplate. Staff is recommending approval of the request to give them the additional time that is needed to complete the upgrade. The city needs roughly 12 more months. Staff will attempt to facilitate and try to cut down the time frame as much as they can.

Chairman Herrmann suggested adjusting the variance to December 2007.

Commissioner Perry made a motion to approve the variance to December 2007. Commissioner Minton seconded the motion. All Commissioners and Chairman Herrmann voted yes.

City of Moberly Variance – Mr. Richard Laux reported the City of Moberly requested a variance from the numeric effluent limitations on Combined Sewer Overflow (CSO) outfalls in their state operating permit. The city is unable to meet the effluent limitations. Staff recommended the Commission approve the variance request with conditions related to monitoring and updating the National Pollutant Discharge Elimination System Permit to include the nine minimum controls. Staff recommends the variance be issued for a 30-month period and reviewed at that time for a possible extension.

Chairman Herrmann entertained a motion relative to the request by the City of Moberly for a variance.

Commissioner Perry made a motion to approve the City of Moberly Variance with the three conditions as written along with Chairman Herrmann's comments that limited monitoring be done on the unclassified streams and add some monitoring on the classified streams. Commissioner Kelly seconded the motion. All Commissioners and Chairman Herrmann voted yes.

Auxvasse Wastewater Treatment Facility Variance – Mr. Richard Laux reported the City of Auxvasse is seeking relief from existing permit conditions requiring “no-discharge” from their irrigation holding cell. The department is asking the Commission for final approval. The city is ready to go out for bids. There were no comments received from the public comment period.

Commissioner Hauser made a motion to approve staff recommendation. Commissioner Minton seconded the motion. All Commissioners and Chairman Herrmann voted yes.

Moto, Inc. Variance – Mr. Richard Laux reported Moto, Inc. applied for a variance from the effluent limitations contained in a statewide general permit for vehicle wash facilities. The department is asking the Commission for final approval. There were no comments received from the public comment period.

Commissioner Hauser made a motion to approve staff recommendation and include two conditions noted by Chairman Herrmann. 1. Address the installation of an oil water separator ahead of their treatment plant. 2. Utilize low phosphate soaps in the car wash. Commissioner Perry seconded the motion. All Commissioners and Chairman Herrmann voted yes.

Enforcement

Gerald H. Meyer Mobile Home Park – Mr. Kevin Mohammadi, Compliance and Enforcement, Department of Natural Resources reported Mr. Gerald H. Meyer owns and operates a Mobile Home Park located in Pettis County consisting of at least 15 trailers on site, with approximately eight occupied. Mr. Meyer constructed a single cell lagoon without a construction permit and is currently operating the lagoon without a Missouri State Operating Permit. Since October 2004, department staff has made several attempts to contact Mr. Meyer to discuss resolving the violations through an out of court settlement. Due to ongoing violations and Mr. Meyer’s failure to respond to the department’s offer, staff recommends this matter to the Attorney General’s Office.

Commissioner Minton made a motion to refer the matter to the Attorney General’s Office. Commissioner Hauser seconded the motion. All Commissioners and Chairman Herrmann voted yes.

Staff Updates

Lagoon Permitting – Mr. Peter Goode, Permits and Engineering, Department of Natural Resources reported that in the effluent limitations regulation there is a requirement for a lagoon or trickling filter to receive the higher limits that are in the regulation. There is a requirement that there must be a water quality impact study conducted. The department has not been implementing this regulatory requirement.

A stakeholder meeting was held on March 22, 2005 to discuss how to address this requirement in the regulations. Mr. Goode discussed options for implementation of the requirement. Any applicant is free to conduct a full water quality impact study for the discharge to the specific receiving stream. There was discussion to develop a study that used a comparable lagoon or trickling filter and existing water quality data to justify the higher effluent limits, and create a default or standardized water quality impact study that defines when lagoon and trickling filter effluent limitations can be used.

Mr. Galbraith stated the department is looking for a defensible way of doing this with the least amount of impact possible for the applicant. Staff shall create a complete policy with details and examples.

Water Quality Review Sheet Strategy – Mr. Peter Goode reported there are currently 99 requests for Water Quality Review Sheets (WQRS). One employee has been dedicated to processing WQRS. The department has a plan in terms of resources and process to help with the backlog.

In regard to resources, three and one half additional staff will become dedicated to working on WQRS. Staff will be trained on May 11, 2005. The engineers in the Financial Assistance Center will also be trained to assist with WQRS for their projects. Grant and loan projects are 35 percent of the WQRS requests. Training occurred during the Regional Office/Central Office Workshop (April 25-27) for the regional office permit writers and engineers on how to conduct WQRS. For the permits that are issued out of the regions, they will be able to process them as well. Program staff will hold WQRS training for consultants on June 28, 2005 in conjunction with ACEC Missouri. This will provide an opportunity for applicants to hire consultants to do the work.

To assist with speeding up the process, staff are looking at developing default effluent limits based on ecological drainage units. A “cookbook” WQRS calculation procedure has been developed. A low flow cutoff for new facilities and an abbreviated WQRS has been developed for small flows less than 22,500 gallons per day.

The department’s goal is to reduce the backlog by October 1, 2005. These resource and process changes should assist to eliminate the WQRS backlog and speed up the issuance of effluent limits.

Use Attainability Analysis (UAA) Update – Ms. Stacia Bax, Water Quality Monitoring and Assessment, Department of Natural Resources reported last fall the department identified 110 classified stream segments as the first priority for recreational UAAs. The list included Class C waters targeted for recreation use designation that would have a strong likelihood of being affected by domestic wastewater treatment facilities.

The Environmental Protection Agency (EPA) Region 7 enlisted the help of Tetra Tech, Inc. to complete recreational UAAs in the western half of the state. The Environmental

Resource Coalition received federal money to assist the department in recreational UAAs. They received a list of facilities for the eastern half of the state.

Eighteen water bodies have completed UAAs. Tetra Tech, Inc. submitted 17 around the Kansas City area and the City of Cameron submitted a UAA for Brushy Creek in Dekalb County. EPA and department staff will be reviewing the efforts of Tetra Tech, Inc. Recommendations will be brought before the Program Director and the Clean Water Commission at a later date.

Several regional and central office staff have also agreed to help in the UAA effort. Department staff will focus on 223 Class C streams receiving domestic wastewater discharges from private facilities and where recreational use designation is proposed by the rulemaking.

Training has been provided to many staff. Training was held at the Regional Office/Central Office Workshop (April 25-27). An internet training presentation is scheduled for May 19, 2005 with the owners/operators of all 911 facilities. The department will have a web page dedicated to UAA work in the future. Chairman Herrmann discussed extending the public comment period in order to get as many UAAs completed and approved as possible. Mr. Galbraith stated if the public comment period is extended, the hearing can still be held on July 6 and then extend the comment period. Depending on how long the extension is, staff will need time to put together a final recommendation in response to comments received for presenting to the Commission. A revised schedule can be prepared if the comment period is changed.

Chairman Herrmann recommended extending the public comment period for 45 days and entertained a motion to that effect.

Commissioner Hauser made a motion to extend the public comment period for 45 days. Commissioner Kelly seconded the motion. All Commissioners and Chairman Herrmann voted yes.

There is a Clean Water Commission meeting scheduled for September 7, 2005. Mr. Galbraith asked that staff consider setting the meeting back to give staff enough time to prepare the response to comments and make a final recommendation. He will work with the Commissioners to set a new meeting date and will public notice it.

Commissioner Perry made a motion to go into closed session. Commissioner Minton seconded the motion. All Commissioners and Chairman Herrmann voted yes.

Commissioner Perry made a motion to come out of closed session and go into open session. Commissioner Kelly seconded the motion. All Commissioners and Chairman Herrmann voted yes.

Commission Appeal Procedures – Mr. Bill Bryan, Attorney General's Office, reported on the Commission Appeal Procedures. The draft rule was accomplished by a working group to cover all of the different boards and commissions under the Department of Natural Resources so that they would have uniform appeal hearing procedures.

This new rule would allow the hearing officer to grant a Stay. There is proposed legislation that may make this a moot point. Mr. Bryan recommends that this be tabled until the July meeting.

CSO Workgroup Update – Mr. Phil Schroeder, Water Quality Monitoring and Assessment, Department of Natural Resources reported the committee that was formed to begin drafting a proposed rule for addressing CSO issues continues with its progress. There were two productive meetings held on March 15 and April 19, 2005. A third meeting is scheduled for May 17.

At the March 15 meeting the group discussed the need to complete a Regulatory Impact Report (RIR). The RIR must be completed by August so that a 60-day comment period can be provided in time to finalize the rule for presentation to the Commission by December.

The April 19, 2005 meeting concluded with an agreement that a white paper (Similar to what Indiana has done.) be drafted and shared among the workgroup for discussion at the May 17 meeting. They would like to discuss this approach and see if Missouri could adopt something similar.

Kaizen Process – Mr. Doug Garrett reported on the State Revolving Fund (SRF) Kaizen Event held on April 4 – 8, 2005. The purpose of the event was to streamline the SRF process and increase the quality of service provided to communities in the state. The U.S. Department of Agriculture Rural Development, non-governmental agencies, consulting engineers, cities, and staff from the Financial Assistance Center participated.

Participants looked at evidence of waste in processes and looked at how to eliminate the waste. Seven areas of waste identified were defects, inventory, processing, waiting, motion, transportation, and overproduction.

Staff identified a new process to begin implementing in hopes of streamlining what the Financial Assistant Center does. Staff will continue looking at their processes, begin implementing changes in the short term and long term, and continue looking for waste.

Mr. Galbraith stated Permits' staff will participate in the Kaizen Process in September. The regions and central office staff involved in permitting will be included.

Presentation

Crystal Peak Fertilizer Plant – Mr. Robert Brundage, Newman, Comley & Ruth, gave an update on the technology being implemented at Premium Standard Farms (PSF).

Standing Items

Budget and Legislative Discussion – Mr. Scott B. Totten, Director, Water Protection and Soil Conservation Division, reported the House and Senate have passed their budget. The Conference Committee has met and agreed on a compromise.

In the Senate's budget there was an amendment to increase the appropriation for retirement of debt for the bonds used to fund the state's side of the SRF. There is a \$1 million appropriation in the House version from general revenue to retire those bonds. In the Senate it was increased to \$7 million but was changed to the SRF repayment account itself. The conference committee had already met. The House position prevailed and the Senate went along with the House.

The Conference Committee's position on the department's 2006 budget has the Outreach and Assistance Center, Geological Survey Resource Assessment Division, Air and Land Protection Division, and Water Protection and Soil Conservation Division funded as a total group appropriation. The department is looking at different ways to restructure.

Mr. Totten gave a brief update on legislation. There are some Concentrated Animal Feeding Operation bills, and bills related to the Administrative Hearing Commission, their authority and responsibilities. Senate Bill 462 is the acquisition by public utilities of water and sewer corporations which would authorize any capable public utility to acquire a water or sewer corporation under order by the Public Service Commission.

Legal Report – Mr. Bill Bryan reported Mr. Harry Bozoian of the Attorney General's Office, obtained a preliminary injunction in Ralls County on an unpermitted development run by Mr. Ken Jaegers. Mr. Jaegers has been ordered by the court to do the engineering reports and things that ordinarily would be done before a facility is built and in operation.

In the first quarter of the calendar year, the Attorney General's Office closed 12 cases that the Clean Water Commission had referred to them and recovered approximately \$117,000.

Public Comment and Correspondence – Mr. Tommy Kitch, Chief of Police, City of Carterville, reported he had a criminal proceeding against Fleming Grease Company. Fleming Grease Company, owned and operated by Mr. Jeffery Fleming, is currently rendering commercial grease products from both in state and out of state commercial sources. The Application for General Permit lists the product as recycled vegetable oil. There is a primary concern that it is liquid waste. Fleming Grease has a prior history of

dumping the waste into a mine hole next to the facility and in the municipal waste water system.

The City of Carterville is requesting necessary measures be taken to ensure compliance with all applicable statutes. The city is further requesting a review of the Operating Permit.

Mr. Bill Bryan responded that there is a Provision in Chapter 640 that states when a permit has been issued, and there is incorrect information in the application, the Director of the Department of Natural Resources can conduct an investigation. The Attorney General's Office will want to assist the law enforcement agency in Carterville.

Commissioner Perry suggested regarding the UAAs, staff should mail post cards to the 911 municipalities asking for a response. Mary West, City of Moberly, suggests that the department contact the Missouri Rural Water Assoc., Missouri Municipal League, Missouri Public Utility Alliance, and the Missouri Water Environment Association. Staff will report in July the efforts that have been done to contact the municipalities.

Ms. West offered, as EPA goes out and does the ones they are contracted to do, to go with them. The City of Moberly would like to split samples and go with them when they are in the community.

Mr. Galbraith directed Mr. Schroeder to contact Tetra Tech, Inc. and the other contractors working on this and ask them to coordinate with the City of Moberly.

Director's Update – Mr. Galbraith reported that on May 25, 2005, there will be a Missouri Clean Water Forum held in Jefferson City. The forum will be discussions on clean water issues and will focus on the permitting process.

Mr. Galbraith asked the Commissioners if they wished to receive copies of the 319 grant applications. It can be as many as 500 pages. The department will hold a review meeting in June and the Commissioners will be invited to that. The Commissioners stated they wished to receive copies of the applications.

Ms. Betty Wyse, Director, Financial Assistance Center is retiring May 31, 2005.

Mr. Galbraith referenced an August 5, 2003 memorandum regarding rules from Mr. Tim Duggan, Attorney General's Office. This item will require being its own discussion item. This was tabled but will be brought up in the future.

Future Meetings – The next meeting of the Clean Water Commission is July 6, 2005 at the Best Western Moberly Inn, 1200 Highway 24 East, Moberly, Missouri. Another meeting is scheduled for September 7; however, the department will look at some dates to have the meeting later in the month due to the extension of the public comment period for UAAs. The department will work with the Commissioners to schedule a different

date. The St. Louis Metropolitan Sewer District offered to provide a tour for an upcoming Commission meeting. It was decided to tentatively hold the September meeting in St. Louis.

Respectfully Submitted,

Edward Galbraith
Director of Staff